

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

DEREK R. OWENS (CABN 230237)
Assistant United States Attorney

450 Golden Gate Avenue, 11th Floor
San Francisco, California 94102
Telephone: (415) 436-6488
Fax: (415) 436-7234
Email: Derek.Owens@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
EFRAIN CASTILLO-CHUN,)
)
Defendant.)
_____)

No. CR 08-0190 JSW

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME FROM
MARCH 27, 2008 THROUGH APRIL 17,
2008

On March 27, 2008, the parties in this case appeared before the Court for arraignment on the indictment. At that time, the parties stipulated that time should be excluded from the Speedy Trial Act calculations from March 27, 2008 through April 17, 2008, for effective preparation and continuity of defense counsel. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the

//

//

STIP. AND ORDER
CR 08-0190 JSW

ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: 4/17/2008

/s/ Derek Owens

DEREK R. OWENS
Assistant United States Attorney

DATED: 4/18/2008

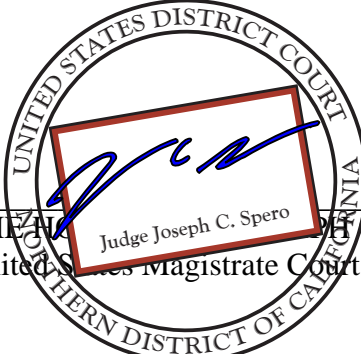
/s/ Jodi Linker

JODI LINKER
Attorney for Mr. Castillo-Chun

As the Court found on March 27, 2008, and for the reasons stated above, the Court finds that an exclusion of time between March 27, 2008 through April 17, 2008, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: April 21, 2008

 THE HONORABLE
Judge Joseph C. Spero
United States Magistrate Court Judge